

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 38-74 are pending in the application subsequent to entry of this Amendment.

Claim 38 has been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention and to more closely relate the claim to methods for infusion of a pharmacological solution in a patient.

In the Official Action restriction is required between claims 38-59 drawn to a system and claims 60-74 drawn to a method. In order to be fully responsive, applicants elect the subject matter of Group I, that is claims 38-59. This response is made with traverse.

According to the examiner's comments, the subject application contains two inventions:

- a first invention (claims 38-59) concerning a system for infusion of pharmacological solutions and
- a second invention (claims 60-74) concerning a method for the infusion of a pharmacological solution in a patient.

The examiner contends that the two inventions do not relate to a single inventive concept because the system as claimed in claims 38-59 can be used for transferring solutions from one container to another.

This is not the case because claims 38-59 are drawn to a system for infusion of pharmacological solutions, wherein the word "infusion" means: "the continuous slow introduction of a solution especially into a vein" (*see*, for instance, the entry "infusion" in the Merriam-Webster's Online Dictionary).

The examiner's argument that the system as claimed can be used for transferring solutions from one container to another is incorrect, because a transfer of a solution from one container to another cannot be called "infusion".

In order to make clearer that the system claimed in claims 38-59 is not intended for transferring a solution from one container to another, but only for the infusion of a pharmacological solution into the body of a patient, claim 38 is amended to include infusion of pharmacological solutions in a patient and the system also includes a catheter insertable in the body of the patient.

PIROVANO ET AL.
Appl. No. 10/563,909
February 8, 2007

For these reasons the examiner is requested to reconsider the requirement for restriction and examine claims 38-74 as directed to a single invention.

An examination on the merits is awaited taking into account the documents cited in the International Search Report as presented in the Information Disclosure Statement of January 10, 2006.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Arthur R. Crawford
Reg. No. 25,327

ARC:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100